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Professional Excellence with a Personal Approach

November 7, 2012

Honorable Lee Yeakel
United States District Court
Western District of Texas
200 West 8th Street
Austin, Texas 78701

Re: 1:12-cv-00972-LY, *Don Zimmerman, et al. v. Travis County Healthcare District*

Dear Judge Yeakel,

On October 26, 2012, all parties participated in a phone conference before you regarding the briefing schedule. During that call, you directed the parties to submit memorandums of case law, absent advocacy, so that you could evaluate the parties' respective positions. My client was required to submit our legal authorities supporting the injunction request, and opposing counsel was to submit legal authorities supporting any standing challenge. As I recall, you said, "I just want your best cases," and to save our advocacy for the hearing on November 14, 2012, limiting the total volume of paperwork in this case based on your trial schedule.

Consistent with that order, I submitted a memorandum of case law, absent advocacy, in support of my clients' request for injunctive relief. What I received from the opposing party, as I understood your order, did not comply with your order; instead, they sent a complete brief, far beyond your limiting instruction, which has put my clients at a disadvantage despite our compliance.

It is not my intention to flaunt your order, nor to act petty. I believe my clients' rights before you have been prejudiced and thus I intend, absent any further clarification, to submit a more substantial response brief by the deadline you gave of Friday, November 9, at 5 pm.

If my understanding of your order was unclear, please forgive me the misunderstanding.

Respectfully submitted,

A handwritten signature in black ink that reads "S. Casey".

Stephen Casey

TX Bar No. 24065015

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